

REMARKS

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1 – 3, 6 - 12 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018 to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee. The rejection is respectfully traversed.

Claim 1 of the present application recites the steps of “relaying information from the plurality of machines to a central location over a communication data link”, and “selecting a subset of machines from the plurality of machines as a function of the relayed information”. The Examiner has stated that Scholl discloses “selecting a subset of machines from the plurality of machines as a function of machine parameters”. In particular, the Examiner states: “electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters”, and references Figure 2 and Col. 3 Lines 18 – 29 of Scholl. [Official Action of 2/26/04, Paragraph # 2]. Figure 2 of Scholl discloses: “a diagrammatic representation of a fleet of trucks each having a monitor, a remote service site, and a satellite communication network for relaying information between the two” [Col. 2, Line 16 – 20]. Figure 2 of Scholl does not teach or suggest “selecting a subset of machines from the plurality of machines as a function of the relayed information”, as recited in Claim 1. In addition, the passage cited by the Examiner discloses, in part, “The monitor 210 receives data from a plurality of sources on the vehicles. The type of sources include sensors and electronic control modules (ECM). . . The ECM uses sensor information and may also generate its own set of parameters.” [Scholl, Col. 3, Line 18 – 29]. This passage does not teach or suggest “selecting a subset of machines from the plurality of machines as a function of the relayed information”. This passages discloses a monitor on-board the machine a receiving information from multiple sources, and that the ECM may receive sensor information and generate its own parameters. There is no suggestion that this information deals with information from multiple machines, or that any of this information is used to select a subset of the multiple machines etc., as recited in Claim 1. Scholl is directed towards “A method for reduce[ing] the amount of information relating to the status of a vehicle relayed from the vehicle to a remote location over a communication data link”. [Scholl, Abstract]. Therefore, Scholl is directed towards the interaction of one vehicle with a remote service site. Multiple machines may interact in this manner with the remote service site. However, Scholl does not teach or suggest “selecting a subset of

machines from the plurality of machines as a function of the relayed information”, as recited in Claim 1. Therefore Claim 1 is believed to be allowable in light of Scholl and Moore-McGee. Accordingly, the claims that depend from Claim 1 (Claims 2 – 12) are also believed allowable.

Claim 3 recites “wherein the machine parameters includes a distance from a selected location”. The Examiner has indicated that Scholl discloses this element based on Figure 1 and in particular states “distance from worksite 102 to service center 118”. While Figure 1 does disclose “a work site with three trucks, a service support hub and service centers” [Scholl, Col. 2 Line 13 – 15] this disclosure does not teach or suggest that the machine parameters that are the basis for selecting a subset of machines include “a distance from a selected location”.

The Examiner has rejected claims 4 – 5 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee and further in view of Cannon et al. U.S. Patent No. 6,408,232. The rejection is respectfully traversed. Claims 4 and 5 depend from Claim 1, which is believed to be an allowable claim (as discussed above). Accordingly, Claims 4 and 5 are also believed to be allowable.

The Examiner has rejected claims 13 - 22 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee. The rejection is respectfully traversed.

Claim 13 recites “relaying information from the plurality of machines to a central location over a communication data link”, and “selecting a subset of machines from the plurality of machines as a function of machine parameters input by a user”. The Examiner has stated that “electronic control modules are used to control one subsystem of the vehicle, the ECM uses sensor information and may also generate its own set of parameters”, and references Figure 2 and Col. 3 Lines 18 – 29 of Scholl. [Official Action of 2/26/04, Paragraph # 4]. However, as discussed above with respect to Claim 1, Scholl does not teach or suggest “selecting a subset of machines from the plurality of machines as a function of machine parameters”, and does not do so as a function of machine parameters input by a user. Therefore, Claim 13 is believed allowable. Accordingly, the associated dependent claims (Claims 14 – 23), are also believed to be allowable.

The Examiner has rejected claim 23 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al.

in view of U.S. Patent No. 5,648,898 to Moore-McKee. The rejection is respectfully traversed. For the same reasons described above with respect to Claim 1, neither Scholl or Moore-McGee teach or suggest “selecting a subset of machines from the plurality of machines as a function of machine parameters” as recited in Claim 1, and in Claim 23. Therefore Claim 23 is believed to be allowable.

The Examiner has rejected claims 24 – 26, 29 - 34 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee. The rejection is respectfully traversed. As discussed above, neither Scholl or Moore-McKee teach or suggest a display module being “adapted to display information relayed from only a subset of the plurality of machines, the subset selected from the plurality of machines as a function of machine parameters input by a user”, as recited in Claim 24. Therefore, Claim 24 is believed to be allowable. Accordingly, the claims that depend from Claim 24 (Claims 25 – 34) are also believed to be allowable.

The Examiner has rejected claims 27 and 28 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee and further in view of U.S. Patent No. 6,408,232) to Cannon et al. The rejection is respectfully traversed. Claims 27 and 28 depend from Claim 24, which is believed to be an allowable claim (as discussed above). Accordingly, Claims 27 and 28 are also believed to be allowable.

The Examiner has rejected claims 35 - 44 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee. The rejection is respectfully traversed. For the same reasons as discussed above with respect to Claim 24, neither Scholl or Moore-McKee teach or suggest a display module being “adapted to display information relayed from only a subset of the plurality of machines, the subset selected from the plurality of machines as a function of machine parameters input by a user”, as recited in Claim 35. Therefore, Claim 35 is believed to be allowable. Accordingly, the claims that depend from Claim 35 (Claims 36 – 44) are also believed to be allowable.

The Examiner has rejected claims 45 - 48 under the obviousness provisions of 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No 5,400,018. to Scholl et al. in view of U.S. Patent No. 5,648,898 to Moore-McKee. For the same reasons as discussed above with respect to Claim 24, neither Scholl or Moore-McKee teach or suggest a display module being “adapted to display information relayed from only a subset of the plurality of

machines, the subset selected from the plurality of machines as a function of machine parameters input by a user”, as recited in Claim 45. Therefore, Claim 45 is believed to be allowable.

For the same reasons as discussed above with respect to Claim 1, neither Scholl or Moore-McKee teach or suggest a computer readable program code means for selecting a subset of the plurality of machines from the plurality of machines as a function of machine parameters”, as recited in Claim 46. Therefore, Claim 46, and the associated dependent Claim 47 are believed to be allowable.

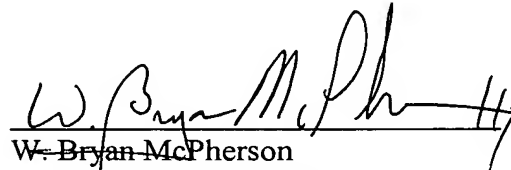
For the same reasons as discussed above with respect to Claim 1, neither Scholl or Moore-McKee teach or suggest a method for selecting a subset of products from the plurality of products as a function of product parameters”, as recited in Claim 48. Therefore, Claim 48 is believed to be allowable.

For the reasons given above, Applicant respectfully submits that Claim 1 - 48 patentably distinguish Applicant's invention over the references cited by the Examiner, and are in condition for allowance.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that he withdraw them. The Examiner is courteously invited to telephone the undersigned representative if he believes that an interview might be useful for any reason. In the event that the Examiner is unpersuaded by Applicant's arguments, it is respectfully requested that the Examiner enter the Amendment for purposes of Appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Bryan McPherson", is written over a horizontal line.

W. Bryan McPherson
Registration No. 41,988
Caterpillar Inc.

Telephone: (309) 675-4015
Facsimile: (309) 675-1236